

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MISSY CHASE LAPINE and THE SNEAKY
CHEF, INC.,

Plaintiffs,

v.

JESSICA SEINFELD, JERRY SEINFELD,
HARPERCOLLINS PUBLISHERS, INC., and
DEPARTURE PRODUCTIONS, LLC,

Defendants.
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ORAL ARGUMENT REQUESTED

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08-CV-128 (LTS) (RLE)

**NOTICE OF MOTION OF DEFENDANTS JESSICA SEINFELD,
HARPERCOLLINS PUBLISHERS, INC. AND
DEPARTURE PRODUCTIONS, LLC IN SUPPORT OF THEIR
MOTION TO DISMISS THE AMENDED COMPLAINT**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law of Defendants Jessica Seinfeld, HarperCollins Publishers, Inc. and Departure Productions, LLC in Support of Their Motion to Dismiss, dated June 17, 2008, and all other papers served or filed herein, Defendants Jessica Seinfeld, HarperCollins Publishers, Inc. and Departure Productions, LLC, by their undersigned attorneys, will move this Court, in the Courtroom of the Honorable Laura T. Swain, United States Judge, United States Courthouse, 500 Pearl Street, Courtroom 17C, New York, 10007, at a time and date to be determined by the Court for an order pursuant to Federal Rule of Civil Procedure 12(b)(6) dismissing the First, Second, Third, Fourth, Fifth, Seventh and Eighth Claims for Relief in the First Amended Complaint.

PLEASE TAKE FURTHER NOTICE that Defendants, through their undersigned attorneys, have made their best efforts to resolve informally the matters raised in this submission,

including through the exchange of letters and telephone calls with Howard Miller, Esq., counsel for Plaintiffs.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered by this Court on May 30, 2008 as docket number 35, answering papers, if any, are to be served on or before August 7, 2008, and reply papers, if any, are to be served on or before August 26, 2008.

DATED: New York, New York
June 17, 2008

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